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TRANSMITTAL  
FORM

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Total Number of Pages in This Submission

3

Application Number	10/761,982
Filing Date	January 21, 2004
First Named Inventor	BOURGET et al.
Art Unit	1626
Examiner Name	STOCKTON, Laura Lynne
Attorney Docket Number	ST01021 US CNT

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input checked="" type="checkbox"/> Status Letter Other Enclosure(s) (please identify below): <input type="checkbox"/> Response to Office Communication of January 10, 2005, and Supplemental Response to Restriction Requirement under 35 U.S.C. 1.21 and Provisional Election
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	AVENTIS PHARMACEUTICALS INC.		
Signature			
Printed name	Lawrence L. Martin		
Date	January 18, 2005	Reg. No.	46,902

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NO. 1478 P. 2

JAN 18 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of  
**Bourget et al.**

Examiner: Laura Stockton

Application No.: **10/761,982**

Art Unit: 1626

Filed: **1/21/2004**

**TELEFAX CERTIFICATE**

Title: **Indazole or indole derivatives, and use  
thereof in human medicine and more  
particularly in oncology**

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Bonnie Stein

Response to Office Communication of January 10, 2005, and  
Supplemental Response to Restriction Requirement under 35  
U.S.C. § 121 and Provisional Election of Invention under 37  
C.F.R. 1.143.

Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This is in response to the Office Communication dated January 10, 2005, having a response due by February 10, 2005, in the above-identified patent application. It is respectfully requested that the following provisional election and remarks be entered in this case.

**PROVISIONAL ELECTION OF INVENTION UNDER 37 C.F.R. 1.143:**

Applicants provisionally elect with traverse the invention Group IV, claims 1-22 and 35, drawn to products of formula (1) or formula (2) wherein X and Y are each N; and the Ar attached to the fused cyclohexenyl ring in the formulas is a phenyl, classified in class 548, subclass 356.1+. A compound falling within the scope of the elected specie is isopropyl 6,6-diphenyl-6,7-dihydro-2H-indazole-3-carboxylate, the preparation of which is disclosed as Example 2-1, page 19, of the specification and the compound is specifically claimed in claim 6.

ST01021 US CNT

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